

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

EDDIE HENSON,)
)
)
Petitioner,)
)
)
vs.) **CIVIL NO. 10-cv-1049-DRH**
)
)
JEFFERSON COUNTY, ILLINOIS,)
and THE ATTORNEY GENERAL OF)
THE STATE OF ILLINOIS,)
)
Respondents.)

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

This action is before the court for docket control. On August 16, 2011, the petition for writ of habeas corpus was dismissed without prejudice (Doc. 7). Petitioner was granted leave to file an amended petition as to grounds 2 and 3 no later than September 20, 2011, in order to demonstrate that his original petition was timely filed, if he could document its timeliness. Petitioner was warned that if he failed to file an amended petition by the deadline, the dismissal of grounds 2 and 3 would become a dismissal with prejudice. The deadline has now passed, and petitioner has not submitted an amended petition.

IT IS THEREFORE ORDERED that the dismissal of grounds 2 and 3 of the petition is now **WITH PREJUDICE**. *See* FED. R. CIV. P. 41(b). The Clerk is directed

to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 4, 2011

Digitally signed

by David R.
Herndon

Date: 2011.10.04
14:41:47 -05'00'

David R. Herndon



**Chief Judge
United States District Court**